



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB4407

Introduced 1/5/2006, by Rep. Kurt M. Granberg

SYNOPSIS AS INTRODUCED:

625 ILCS 5/2-119
625 ILCS 5/3-664 new

from Ch. 95 1/2, par. 2-119

Amends the Illinois Vehicle Code. Authorizes the issuance of special NASCAR license plates at an additional charge of \$35 for original issuance and \$15 for each registration renewal period. Authorizes the State to enter into agreements for licenses or other permissions to implement the new provisions. Provides that the Secretary of State may use moneys in the Secretary of State Special License Plate Fund to pay royalties for the display of logos, graphics, or other materials on the plates.

LRB094 15049 DRH 50180 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Section 2-119 and adding Section 3-664 as follows:

6 (625 ILCS 5/2-119) (from Ch. 95 1/2, par. 2-119)

7 Sec. 2-119. Disposition of fees and taxes.

8 (a) All moneys received from Salvage Certificates shall be
9 deposited in the Common School Fund in the State Treasury.

10 (b) Beginning January 1, 1990 and concluding December 31,
11 1994, of the money collected for each certificate of title,
12 duplicate certificate of title and corrected certificate of
13 title, \$0.50 shall be deposited into the Used Tire Management
14 Fund. Beginning January 1, 1990 and concluding December 31,
15 1994, of the money collected for each certificate of title,
16 duplicate certificate of title and corrected certificate of
17 title, \$1.50 shall be deposited in the Park and Conservation
18 Fund.

19 Beginning January 1, 1995, of the money collected for each
20 certificate of title, duplicate certificate of title and
21 corrected certificate of title, \$2 shall be deposited in the
22 Park and Conservation Fund. The moneys deposited in the Park
23 and Conservation Fund pursuant to this Section shall be used
24 for the acquisition and development of bike paths as provided
25 for in Section 805-420 of the Department of Natural Resources
26 (Conservation) Law (20 ILCS 805/805-420).

27 Beginning January 1, 2000, of the moneys collected for each
28 certificate of title, duplicate certificate of title, and
29 corrected certificate of title, \$48 shall be deposited into the
30 Road Fund and \$4 shall be deposited into the Motor Vehicle
31 License Plate Fund, except that if the balance in the Motor
32 Vehicle License Plate Fund exceeds \$40,000,000 on the last day

1 of a calendar month, then during the next calendar month the \$4
2 shall instead be deposited into the Road Fund.

3 Beginning January 1, 2005, of the moneys collected for each
4 delinquent vehicle registration renewal fee, \$20 shall be
5 deposited into the General Revenue Fund.

6 Except as otherwise provided in this Code, all remaining
7 moneys collected for certificates of title, and all moneys
8 collected for filing of security interests, shall be placed in
9 the General Revenue Fund in the State Treasury.

10 (c) All moneys collected for that portion of a driver's
11 license fee designated for driver education under Section 6-118
12 shall be placed in the Driver Education Fund in the State
13 Treasury.

14 (d) Beginning January 1, 1999, of the monies collected as a
15 registration fee for each motorcycle, motor driven cycle and
16 motorized pedalcycle, 27% of each annual registration fee for
17 such vehicle and 27% of each semiannual registration fee for
18 such vehicle is deposited in the Cycle Rider Safety Training
19 Fund.

20 (e) Of the monies received by the Secretary of State as
21 registration fees or taxes or as payment of any other fee, as
22 provided in this Act, except fees received by the Secretary
23 under paragraph (7) of subsection (b) of Section 5-101 and
24 Section 5-109 of this Code, 37% shall be deposited into the
25 State Construction Fund.

26 (f) Of the total money collected for a CDL instruction
27 permit or original or renewal issuance of a commercial driver's
28 license (CDL) pursuant to the Uniform Commercial Driver's
29 License Act (UCDLA): (i) \$6 of the total fee for an original or
30 renewal CDL, and \$6 of the total CDL instruction permit fee
31 when such permit is issued to any person holding a valid
32 Illinois driver's license, shall be paid into the
33 CDLIS/AAMVAnet Trust Fund (Commercial Driver's License
34 Information System/American Association of Motor Vehicle
35 Administrators network Trust Fund) and shall be used for the
36 purposes provided in Section 6z-23 of the State Finance Act and

1 (ii) \$20 of the total fee for an original or renewal CDL or
2 commercial driver instruction permit shall be paid into the
3 Motor Carrier Safety Inspection Fund, which is hereby created
4 as a special fund in the State Treasury, to be used by the
5 Department of State Police, subject to appropriation, to hire
6 additional officers to conduct motor carrier safety
7 inspections pursuant to Chapter 18b of this Code.

8 (g) All remaining moneys received by the Secretary of State
9 as registration fees or taxes or as payment of any other fee,
10 as provided in this Act, except fees received by the Secretary
11 under paragraph (7) (A) of subsection (b) of Section 5-101 and
12 Section 5-109 of this Code, shall be deposited in the Road Fund
13 in the State Treasury. Moneys in the Road Fund shall be used
14 for the purposes provided in Section 8.3 of the State Finance
15 Act.

16 (h) (Blank).

17 (i) (Blank).

18 (j) (Blank).

19 (k) There is created in the State Treasury a special fund
20 to be known as the Secretary of State Special License Plate
21 Fund. Money deposited into the Fund shall, subject to
22 appropriation, be used by the Office of the Secretary of State
23 (i) to help defray plate manufacturing and plate processing
24 costs for the issuance and, when applicable, renewal of any new
25 or existing registration plates authorized under this Code and
26 (ii) for grants made by the Secretary of State to benefit
27 Illinois Veterans Home libraries. A portion of the moneys
28 received as fees under Section 3-664 may be used, subject to
29 appropriation, to pay royalties in accordance with Section
30 3-664.

31 On or before October 1, 1995, the Secretary of State shall
32 direct the State Comptroller and State Treasurer to transfer
33 any unexpended balance in the Special Environmental License
34 Plate Fund, the Special Korean War Veteran License Plate Fund,
35 and the Retired Congressional License Plate Fund to the
36 Secretary of State Special License Plate Fund.

1 (l) The Motor Vehicle Review Board Fund is created as a
2 special fund in the State Treasury. Moneys deposited into the
3 Fund under paragraph (7) of subsection (b) of Section 5-101 and
4 Section 5-109 shall, subject to appropriation, be used by the
5 Office of the Secretary of State to administer the Motor
6 Vehicle Review Board, including without limitation payment of
7 compensation and all necessary expenses incurred in
8 administering the Motor Vehicle Review Board under the Motor
9 Vehicle Franchise Act.

10 (m) Effective July 1, 1996, there is created in the State
11 Treasury a special fund to be known as the Family
12 Responsibility Fund. Moneys deposited into the Fund shall,
13 subject to appropriation, be used by the Office of the
14 Secretary of State for the purpose of enforcing the Family
15 Financial Responsibility Law.

16 (n) The Illinois Fire Fighters' Memorial Fund is created as
17 a special fund in the State Treasury. Moneys deposited into the
18 Fund shall, subject to appropriation, be used by the Office of
19 the State Fire Marshal for construction of the Illinois Fire
20 Fighters' Memorial to be located at the State Capitol grounds
21 in Springfield, Illinois. Upon the completion of the Memorial,
22 moneys in the Fund shall be used in accordance with Section
23 3-634.

24 (o) Of the money collected for each certificate of title
25 for all-terrain vehicles and off-highway motorcycles, \$17
26 shall be deposited into the Off-Highway Vehicle Trails Fund.

27 (p) For audits conducted on or after July 1, 2003 pursuant
28 to Section 2-124(d) of this Code, 50% of the money collected as
29 audit fees shall be deposited into the General Revenue Fund.

30 (Source: P.A. 92-16, eff. 6-28-01; 93-32, eff. 7-1-03; 93-840,
31 eff. 7-30-04.)

32 (625 ILCS 5/3-664 new)

33 Sec. 3-664. NASCAR license plates.

34 (a) The Secretary, upon receipt of an application made in
35 the form prescribed by the Secretary may, subject to the

1 requirements of subsection (c), issue special registration
2 plates designated as NASCAR license plates. The special plates
3 issued under this Section may be affixed only to passenger
4 vehicles of the first division and motor vehicles of the second
5 division weighing not more than 8,000 pounds. Plates issued
6 under this Section shall expire according to the multi-year
7 procedure established by Section 3-414.1.

8 (b) The design and color of the plates is wholly within the
9 discretion of the Secretary, except that the plates shall,
10 subject to the requirements of subsection (c), display the
11 NASCAR logo with a theme related to a specific driver or a
12 general motorsports theme. The Secretary may allow the plates
13 to be issued as vanity or personalized plates under Section
14 3-405.1. The Secretary shall prescribe stickers or decals as
15 provided in Section 3-412.

16 (c) This Section may not be implemented until the State of
17 Illinois has, through a licensing agreement or otherwise,
18 received any licenses or other permissions that may be required
19 to implement this Section. The Secretary may enter into
20 agreements to obtain the necessary licenses or other
21 permissions on reasonable terms. The design of the initial
22 edition of the license plates, as well as the design of
23 subsequent editions and excepting only any part or parts of the
24 designs owned by others and licensed to the State, shall be
25 owned solely by the State of Illinois for its exclusive use and
26 control, except as authorized by the Secretary. The Secretary
27 may take the steps necessary to give notice of and protect the
28 State's rights, including the copyright or copyrights. These
29 steps, however, are cumulative of the ownership and exclusive
30 use and control established by this subsection as a matter of
31 law, and no person may reproduce or otherwise use the design or
32 designs, except as authorized by the Secretary.

33 (d) An applicant for the special plate shall be charged a
34 \$35 fee for original issuance in addition to the appropriate
35 registration fee. For each registration renewal period, a \$15
36 fee shall be charged in addition to the appropriate

1 registration fee. These fees shall be deposited into the
2 Secretary of State Special License Plate Fund.